



REQUEST FOR QUALIFICATIONS (RFQ) SUBMITTAL INSTRUCTIONS

FOR THE STATE OF CALIFORNIA Department of Transportation

Note: All questions concerning this RFQ Instruction **MUST** be addressed to the Contract Analyst named in the RFQ Notice. Consultants who contact the District or Division directly, seeking information about the RFQ could jeopardize the integrity of the selection process.

Latest changes to this revision are noted with a side bar.

I. REQUIREMENTS FOR STATEMENT OF QUALIFICATIONS (SOQs)

SOQs must be in the following format:

1. SOQs to be **bound on 11" side** - binding style to be determined by submitter.
2. Paper size to be 8-1/2" x 11" (except the Organizational Chart).
3. Font size used for all documents (except the Organization Chart) to be a minimum of 8 point.
4. If contracts with similar services are being sought within the same RFQ, please note each individual contract is a separate offer. Consultants may elect to compete for more than one contract and must specify exactly which contract(s) they are competing for. This should be stated on the cover and within the transmittal letter. Consultant firms should provide resumes for each key team member they want to use for each contract and include each key team member on their organization charts. The Statement of Qualifications (SOQs) should include a staff availability plan to demonstrate Consultant firms' capacity and ability to perform in more than one contract if awarded. A separate SOQ for each contract may be submitted or a combined SOQ version may be submitted when contracts with similar services are being sought within the same RFQ.

SOQs are to be tabbed into five (5) Main Sections and contain the information listed below:

Section A. Transmittal Letter(s)

1. Prime Consultant transmittal letter is limited to three (3) pages per advertised contract. Transmittal letters shall be signed by the person authorized to obligate the firm or joint venture. Please list ALL subconsultants and provide the percentage (best estimate) of utilization for each firm. Please note these are estimates only and the firms will not be held to percent submitted except for goal commitments.

2. Each Subconsultant transmittal letter is limited to one (1) page per advertised contract. In this transmittal letter, each Subconsultant shall provide correspondence stating its commitment to the Prime Consultant's team. The correspondence must be signed by a principal of the Subconsultant firm, indicating the specific portion of the work to be performed by the Subconsultant firm.
3. The signature of the authorized representative certifies that the information contained in the SOQ is truthful, accurate, and complete at time of submittal.
4. List the location of the offices where the work is to be performed. If the work is to be shared among firms and offices at different locations, indicate where each office is located and what work is to be performed in each office. For Field personnel, provide the location of the offices where they will be based and from which they will be managed.
5. List an individual's name and e-mail address for the Prime Consultant to which correspondence can be sent. If e-mail is not available, so indicate in the transmittal letter. Also, provide FAX number or indicate if FAX number is not available.
6. If the Prime Consultant and/or Subconsultants have identified any former State of California, Department of Transportation employee(s) on the Organization Chart, list the individual's full name, last date of employment with the Department, and their functional responsibility held while with the Department (within the last 24 months of employment). Further information concerning Conflict of Interest issues can be found under Section VI. MISCELLANEOUS, Paragraphs 8. and 9. in this RFQ Instruction.

THE FOLLOWING PARAGRAPH APPLIES IF THE CONTRACT WILL BE FOR CONSTRUCTION INSPECTION SERVICES. NOTE: THIS PARAGRAPH WOULD NOT APPLY TO PROJECT SPECIFIC.

7. The Prime Consultant's signature affixed on the Transmittal Letter certifies that neither the Prime Consultant nor its Subconsultants will engage in Construction Inspection services for the same project which the Prime Consultant and/or Subconsultant has performed Project Development or Project Construction Support services.
8. Provide the appropriate goal documentation as follows (SEE RFQ NOTICE FOR TYPE OF GOAL REQUIREMENTS):

DBE certification letter(s) issued by the certifying entity.

DBE PARTICIPATION FORMS. This will consist of one or both of the following pursuant to the instructions in ADM-0221F:

- ADM-0227F
- ADM-0312F

OR

DVBE certification letter(s) issued by the certifying entity.

DVBE PARTICIPATION FORMS. This will consist of one or both of the following pursuant to the revised instructions in STD 840 package:

- GOAL FORM COMPLETED STD 840
- GOOD FAITH EFFORT FORMS COMPLETED

Section B. An Organization Chart (one page) per advertised contract: May be up to 11" x 17" but must be folded to 8-1/2" x 11". The chart should list the Prime Consultant and Subconsultants, showing the proposed relationships between **the key personnel and support staff who are expected to participate** on the project, and which aspects of the work each person will be responsible for performing. **Every key personnel whose resume is provided shall be shown on the Organization Chart.**

Section C. General Services Administration Standard Form SF330 shall conform to the following format:

1. SF330 sections to be separated by colored divider sheets or tabs for both Prime and Subconsultants.
2. The Prime and Subconsultants to provide a separate SF330 Part I.
3. Complete information for Sections A-F.
4. In Section D list all Subconsultants and provide certification numbers for Small Business, DBE or DVBE when applicable on the Organization Chart.
5. Provide Organizational Chart of proposed team that includes all key personnel for Prime and Subconsultants.
6. In Section E, provide resumes for all key personnel. Project Manager is limited to a three (3) page resume and all others are limited to a one (1) page resume.
7. In Section F, limit your response to 10 projects, one (1) project per page. Subconsultants to limit response to 1 page with maximum of 10 projects.
8. Section H, Prime is limited to 4 pages and Subconsultants to 2 pages of additional information or description.
9. Part II is not required.

Information for completing SF330 and the form may be downloaded from: <http://caltrans-opac.ca.gov/aeinfo.htm>

Section D. Work Force Analysis Chart: Each employer (Prime and Subconsultant) **with 50 or more employees** must provide a work force analysis chart (as shown below) providing the total number and percentage of employees working in California per advertised contract. The Prime and each Subconsultant charts are to be separated by colored divider sheets or tabs.

DO NOT BREAK WORK FORCE ANALYSIS TABLE INTO TWO PARTS (KEEP ON ONE PAGE).

Work Force Analysis

	Caucasian		Black		Hispanic		Asian/ Pacific Islander		Native American/ Native Alaskan		Total Calif. Work Force	
	M	F	M	F	M	F	M	F	M	F	M	F
Executives/Managers												
Licensed Professional Engineers/Surveyors/ Architects												
Other Technical/ Professional												
Office/Clerical												
TOTAL												
PERCENT OF TOTAL												

Section E. Nondiscrimination: Each prospective Consultant and Subconsultant must comply with the State's nondiscrimination program requirements found in Government Code Section 12990 and Title 2, California Code of Regulations, Division 4, Chapter 5, Sections 8103, 8104 and 8113 (unless exempted per Section 8115). For federally funded projects, nondiscrimination compliance requirements are found in Title VI of the Civil Rights Act of 1964, and the Code of Federal Regulations, 49 CFR Parts 21, 23, and 200.

1. A Prime or Subconsultant with fewer than fifty (50) employees in its entire workforce **are exempt from providing nondiscrimination and workforce utilization analyses.**
2. **Prime or Subconsultant firms with fifty (50) or more employees shall provide the following divided by colored divider sheets or tabs:**
 - a) Each employer (Prime and Subconsultant) must provide, unless exempted, a statement of compliance, under penalty of perjury, that they have complied with State nondiscrimination requirements.
 - b) Each employer (Prime and Subconsultant) must provide a description of the firm's nondiscrimination program designed to eliminate discrimination based on race, color, religion, age, sex, sexual orientation, disability, or national origin.

SOQs which do not contain all five (5) Sections required above, do not contain the required number of copies, do not have proper identification, are submitted after the deadline, are submitted to the wrong location, or fails to comply with any other requirement stated in this RFQ may be rejected.

II. GOAL PARTICIPATION REQUIREMENTS (SEE RFQ NOTICE FOR WHICH GOAL APPLIES, DBE OR DVBE)

THE FOLLOWING PARAGRAPHS APPLY WHEN DBE GOALS ARE REQUIRED. THE STATED GOAL REQUIREMENT FOR PERCENTAGE OF PARTICIPATION IS FOUND IN THE RFQ NOTICE.

1. Consultants must meet the DBE goal or make a Good Faith Effort to do so. **THE DBE GOAL PARTICIPATION FORMS MUST ACCOMPANY THE CONSULTANT'S SOQs. (REVISED 8/15/02)**
2. The Bidder/Proposer DBE Information Instructions, ADM-0221F; the Bidder/Proposer DBE Information, ADM-0227F; and the Bidder/Proposer DBE Good Faith Effort Information, ADM-0312F; can be downloaded from <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the Contract Analyst (**See the RFQ Notice for Contract Analyst's Name**).
3. When completing the **ADM-0227F** the anticipated goal percentage (%) for each DBE firm listed must be inserted in the "Percentage of \$ Value Claimed" column and the total percentage inserted as indicated at the bottom of the column.
4. Questions concerning DBE certification requirements, including the definition of a Good Faith Effort, must be addressed to the Department of Transportation, Civil Rights, Business Enterprise, 1823 14th Street, Sacramento, California 95814-7189; or call the toll free telephone number (1-866) 810-6346. Civil Rights staff also provides information on the Internet regarding the Department's certified firms at the following URL: www.dot.ca.gov/hq/bep.

THE FOLLOWING PARAGRAPHS APPLY WHEN DVBE GOALS ARE REQUIRED. THE STATED GOAL REQUIREMENT FOR PERCENTAGE OF PARTICIPATION IS FOUND IN THE RFQ NOTICE.

5. Consultants must meet the DVBE goal or make a Good Faith Effort to do so. **THE DVBE GOAL PARTICIPATION FORMS MUST ACCOMPANY THE CONSULTANT'S SOQs. (REVISED 8/15/02)**
6. The DVBE requirements/Instructions and forms package, **STD 840**; can be downloaded from: <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the Contract Analyst (**See the RFQ Notice for Contract Analyst's Name**).
7. When completing the **GOAL FORM STD 840** the anticipated goal percentage (%) for each DVBE firm listed must be inserted in the "Percent Claimed" section. **NOTE:** No dollar amount needs to be inserted in the form.
8. The Department of General Services, Office of Small Business Certification and Resources provides information on the Internet regarding how to become a certified DVBE firm and also lists all certified DVBE firms at the following Internet address: <http://www.pd.dgs.ca.gov/smbus>
9. Questions concerning requirements for meeting a Good Faith Effort for DVBE may be addressed to the State of California, Department of Transportation, Civil Rights, Business Enterprise, 1823 14th Street, Sacramento, CA 95814-7189; or call the toll free telephone number (1-866) 810-6346. Civil Rights staff also provides information on the Internet regarding DGS certified DVBE firms at the following URL: www.dot.ca.gov/hq/bep.

III. SMALL BUSINESS ASPIRATIONAL GOAL

Pursuant to Governor's Executive Order D-37-01, the Department may establish a Small Business participation goal for this contract. **(See RFQ Notice to determine if this aspirational goal applies and at what percentage of participation.)** Consultants may provide, at time of award, the Small Business Questionnaire ADM 2046/A&E form identifying all the certified small businesses to be utilized in meeting this goal. The form is available at the following URL: <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the Contract Analyst named in the RFQ Notice. The Department of General Services, Office of Small Business Certification and Resources provides information on the Internet regarding how to become a certified Small Business firm and also lists all certified Small Business firms at the following Internet address: www.osmb.dgs.ca.gov.

IV. CONSULTANT SELECTION AND CONTRACT NEGOTIATIONS

1. The Consultants will be selected by means of a dual selection process (evaluation of SOQs followed by an interview of those short listed).
2. The criteria in ADM 2027 is the basis for the initial evaluation, scoring and ranking of Consultant's SOQs to establish a short list of firms to be interviewed. The ADM 2027 form is available at the following URL: <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the Contract Analyst named in the RFQ Notice.
3. Those Consultants evaluated by a Selection Committee and judged to be the best qualified to undertake the services, based upon the combined scores and ranking of the SOQs, will be interviewed and again scored and ranked by the Selection Committee. The criteria in ADM 2028 is the basis for the evaluation, scoring and ranking of Consultant's interviewed. The ADM 2028 form is available at the following URL: <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the Contract Analyst named in the RFQ Notice.
4. The contract will be negotiated pursuant to Section 4528 of the California Government Code. A contract with fixed rates of compensation for specific persons and classifications will be negotiated with the top ranked Consultant in accordance with Government Code Section 4528. If agreement cannot be reached with the top ranked Consultant, negotiations will be terminated and negotiations started with the next ranked Consultant for the contract. For project specific contracts, the Department reserves the right to negotiate a firm fixed price contract or a combination of specific rates of compensation for a specific phase of the project and firm fixed price for another phase. The Department also reserves the right to entertain Firm Fixed Price Task Orders or Fixed Rates of Compensation - Actual plus direct costs, for an On-Call Contract when the Department's Contract Manager deems appropriate. **Firm Fixed Price Task Orders** may be negotiated for work resulting from this solicitation.
5. If the Consultant is a corporation, the Consultant must certify that the corporation is in good standing to do business in California. Pursuant to Revenue and Taxation Code 23101, "Doing business means actively engaging in any transaction for the purpose of financial or pecuniary gain or profit."
6. If the Consultant is selected for the contract and found to have an invalid corporate status with the California Secretary of State's Office, the contract will be voided unless the Consultant can provide validity of corporate status within five (5) working days of notification of intent to cancel.
7. The Consultant finally selected must comply with Government Code Section 8355 in matters relating to providing a drug-free work place.

8. All work shall be done in accordance with State standards, policies, procedures, regulations and laws.
9. A sealed **Cost Proposal** will be required of each short listed Consultant to be interviewed for any **On-Call** contract. All the necessary forms and instructions will be provided to the short listed Consultants with the interview notification correspondence. Only the Cost Proposal of the proposed awardee will be opened. **All unopened Cost Proposals will be returned at the conclusion of the award process.**
10. A Cost Proposal will not be requested if the contract is a **Project Specific** contract until after a Consultant is interviewed and selected.

STATE PREVAILING WAGE REQUIREMENTS WILL APPLY WHEN THE FOLLOWING CRAFTS ARE TO BE UTILIZED: FIELD CONSTRUCTION INSPECTORS, MATERIALS SAMPLING AND TESTING (E.G. OPERATORS OF DRILLING RIGS, CRANES, & PILE DRIVERS), LAND SURVEYORS (E.G. SURVEY PARTY CHIEF, RODMAN/CHAINMAN, & FLAGMAN), AND OTHER LABORERS/ CRAFTS THAT ARE AFFECTED BY STATE LABOR LAWS. NOTE: SAMPLING USING HAND TOOLS DOES NOT REQUIRE PREVAILING WAGES.

11. State General Prevailing Wage Rates: The contract to be awarded from the RFQ solicitation may be subject to the payment of prevailing wages. **The Prevailing Wage Rates, in effect on the date the RFQ appears in the California State Contracts Register, will apply.** Copies of the State's General Prevailing Wage Rates may be obtained via the Internet at: <http://www.dir.ca.gov>.

FEDERAL PREVAILING WAGE REQUIREMENTS WILL APPLY IF CONTRACT IS 100% FEDERAL FUNDED OR IS BOTH STATE/FEDERAL FUNDED WHEN THE FOLLOWING CRAFTS ARE UTILIZED: FIELD CONSTRUCTION INSPECTORS, MATERIALS SAMPLING AND TESTING (E.G. OPERATORS OF DRILLING RIGS, CRANES, & PILE DRIVERS), LAND SURVEYORS (E.G. SURVEY PARTY CHIEF, RODMAN/CHAINMAN, & FLAGMAN), AND OTHER LABORERS/ CRAFTS THAT ARE AFFECTED BY STATE/FEDERAL LABOR LAWS. NOTE: SAMPLING USING HAND TOOLS DOES NOT REQUIRE PREVAILING WAGES.

12. Federal Prevailing Wage Rate: **The Prevailing Wage Rates, in effect on the date the RFQ appears in the California State Contracts Register, will apply.** Federal Wage Rate Determinations are subject to any "Modifications" to those wage determinations issued by the Federal Department of Labor ten (10) working days prior to the SOQ due date. Federal Wage Rate Determinations are available on the Internet at: www.access.gpo.gov/davisbacon/index.html.

V. AUDIT

THE LANGUAGE BELOW WILL APPLY IF THE CONTRACT(S) WILL HAVE THE ROUTINE PRE-AWARD AUDIT PERFORMED BEFORE EXECUTION OF THE CONTRACT. SEE THE RFQ NOTICE.

Pre-award Audit

1. A Pre-award Audit will be performed prior to award of a contract. The Pre-award Audit will be conducted in accordance with generally accepted government auditing standards as promulgated by the United States General Accounting Office.

2. The scope of the audit will consist of such tests as the auditors consider necessary to assure that the Consultant satisfactorily meets the requirements outlined in items a-c below prior to execution of the contract.
 - a. At the time of the Pre-award Audit, the prospective Consultant must demonstrate through actual historical data that its accounting system is capable of accumulating and segregating reasonable, allowable and allocable costs. For new businesses, if actual historical data is unavailable or the accounting system is newly implemented, the system will be tested to determine whether the accounting system is adequate and, if necessary, recommend that an interim audit be performed. At a minimum, the Consultant must have an accounting system that meets the following objectives:
 - 1) The ability to record and report financial data in accordance with generally accepted accounting principles and the Code of Federal Regulations, Title 48, Federal Acquisition Regulations System (FAR), Chapter 1, Part 31.
 - 2) The ability to accumulate and segregate reasonable, allowable and allocable costs through the use of a cost accounting system.
 - 3) A system of record keeping to ensure the costs billed to the Department will be supported by adequate documentation and will be in compliance with the terms of the contract and applicable Federal and State regulations.
 - 4) Procedures to retain accounting records and source documentation as required by the terms of the contract.
 - 5) A system of internal control which provides reasonable assurance that assets are protected; financial data, records and statements are reliable, and errors and irregularities are promptly discovered, reported and corrected.
 - b. The prospective Consultant must be financially capable of performing the work.
 - c. The costs proposed must be reasonable.

Additional information regarding the accounting and audit guidelines for contracts with the Department is available on the Internet at: <http://caltrans-opac.ca.gov/aeinfo.htm>

THE LANGUAGE BELOW WILL APPLY IF THE CONTRACT(S) IS(ARE) SEISMIC RETROFIT PROJECT(S).

Post-award Audit

1. A Post-award Audit will be performed after the contract is fully executed. The Post-award Audit will be conducted in accordance with generally accepted government auditing standards as promulgated by the United States General Accounting Office.
2. The Consultant awarded the contract agrees that any audit recommendations regarding contract amount, the Consultant's Cost Proposal or individual items of cost, at the Department's sole discretion, may be incorporated into the contract.
3. The rates included in the Consultant's Cost Proposal, after the Post-award Audit recommendations are incorporated, shall remain in effect for the duration of the contract.

4. Refusal by the Consultant to concur with the adjusted rates recommended in the Post-award Audit finding may result in contract termination.
5. The scope of the audit will consist of such tests as the auditors consider necessary to assure that the Consultant satisfactorily meets the requirements outlined in items a-c below prior to execution of the contract.
 - a. At the time of the Post-award Audit, the prospective Consultant must demonstrate through actual historical data that its accounting system is capable of accumulating and segregating reasonable, allowable and allocable—costs. For new businesses, if actual historical data is unavailable or the accounting system is newly implemented, the system will be tested to determine whether the accounting system is adequate and, if necessary, recommend that an interim audit be performed. At a minimum, the Consultant must have an accounting system that meets the following objectives:
 1. The ability to record and report financial data in accordance with generally accepted accounting principles and the Code of Federal Regulations, Title 48, Federal Acquisition Regulations System (FAR), Chapter 1, Part 31.
 2. The ability to accumulate and segregate reasonable, allowable and allocable costs through the use of a cost accounting system.
 3. A system of record keeping to ensure the costs billed to the Department will be supported by adequate documentation and will be in compliance with the terms of the contract and applicable Federal and State regulations.
 4. Procedures to retain accounting records and source documentation as required by the terms of the contract.
 5. A system of internal control that provides reasonable assurance that assets are protected; financial data, records and statements are reliable, and errors and irregularities are promptly discovered, reported and corrected.
 - b. The prospective Consultant must be financially capable of performing the work.
 - c. The costs proposed must be reasonable.

Additional information regarding the Accounting and Audit guidelines for contracts with the Department is available on the Internet at: <http://caltrans-opac.ca.gov/aeinfo.htm>

Subsequent Audit

Any contract issued as a result of this solicitation is subject to the requirements stated in the standard cost principles of the contract. Therefore, individual items of cost and other direct costs negotiated are subject to allowability of costs under these cost principles. Any costs for which payment has been made to the Consultant that are determined by subsequent audit to be unallowable under 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31 et seq., or 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments shall be subject to repayment by the Consultant to the Department.

VI. MISCELLANEOUS

1. Modification or Withdrawal of Submittals

Any SOQ received prior to the date and time specified above for the receipt of SOQs may be withdrawn or modified by written request to the Department by the Prime Consultant. To be considered, however, the modified SOQ must be received by the time and date specified above.

2. Property Rights

SOQs received within the prescribed deadline become the property of the State of California, Department of Transportation and all rights to the contents therein become those of the Department.

3. Confidentiality

Before award of the contract, all SOQs will be designated confidential to the extent permitted by the California Public Records Act. After award of the contract (or if not awarded, after rejection of all SOQs), all responses will be regarded as public records and will be subject to review by the public. Contracts are considered awarded after they are fully executed by both parties and approved by the Department of General Services. Any language purporting to render any portion of the SOQ to be excluded from public review will be regarded as non-effective and will be disregarded.

4. Addendum to Request for Qualifications/Proposal

The Department reserves the right to amend the RFQ by addendum before the final SOQ submittal date.

5. Non-Commitment of the Department

- a. This RFQ does not commit the Department to award a contract, to pay any costs incurred in the preparation of an SOQ for this request, or to procure or contract for services.
- b. All products used or developed in the execution of any contract resulting from this RFQ will remain in the public domain at the completion of the contract.

6. Nondiscrimination

- a. A contract awarded as a result of this Request for Qualifications (RFQ) will be awarded without discrimination based on race, color, religion, age, sex, sexual orientation, disability, or national origin.
- b. The prospective Consultant must certify compliance with nondiscrimination requirements of the Department pertaining to the development, implementation and maintenance of a nondiscrimination program. The prospective Consultant's signature affixed to and dated on the cover letters shall constitute a certification under penalty of perjury under the laws of the State of California that the proposer has, unless exempted, complied with the nondiscrimination program requirements of Government Code Section 12990, and Title 2, California Code of Regulations, Section 8103; and the nondiscrimination program requirements of Title VI of the Civil Rights Act of 1964, 49 CFR Part 21 and 23, CFR Part 200 for federally funded projects.

7. Americans with Disabilities Act

The Consultant shall assure the Department that it will comply with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA (42 U.S.C. 12101 et seq.).

8. Conflict of Interest Concerning Consultant(s)

The prospective Consultant shall disclose any financial, business or other relationship with the State of California, or the State of California, Department of Transportation, or the State of California, California Transportation Commission that may have an impact upon the outcome of this contract. The prospective Consultant shall also list current clients who may have a financial interest in the outcome of this contract.

9. Conflict of Interest Concerning Former State of California, Department of Transportation Employees

- a. Public Contract Code Section 10411(a) prohibits a former employee from entering into a contract in which he or she engaged in any of the negotiations, transactions, planning arrangements or any part of the decision making process relevant to the contract while employed in any capacity by any State agency. This prohibition applies during the **two (2) year period** beginning on the date the person left State employment.
- b. Public Contract Code Section 10411(b) prohibits a former State officer or employee from entering into a contract with any State agency
 - if, he or she was employed by the same State agency in a policy-making position in the same subject area (s) as the proposed contract (s) within the **twelve (12) month period** prior to his or her separation.
- c. Representation includes any formal or informal appearance, or oral or written communication to the Department or to any of its officers or employees. This would include participation at presentations or interviews, attendance at scoping meetings, participation in negotiations and direct involvement in cost proposal and audit activities. See Government Code Section 87406 subparagraph(d) subpart(1).
- d. The categories of former Department employees to whom the prohibition applies are any one or more of the following:
 - 1) A "Designated employee" as defined in Government Code Section 82019, to include any officer or employee whose position with the department:
 - a) was exempt from the State Civil Service System;
 - b) is designated in a Conflict of Interest Code (See Public Contract Code Section 10411 subparagraphs a. and b.) because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest.
 - c) involved the employee in the functions of:
 - negotiating or signing any competitively awarded contract;
 - making decisions in conjunction with the competitive award process;

- making decisions on Emergency Force Account contracts awarded under Public Contract Code Section 10122.
- e. Former Department employees, including former retired annuitants, proposed in the SOQ who meet the criteria above will not be allowed to participate in the selection, negotiation and award process of this contract. **The separation date or last date of employment by the State should be listed on the form SF 255 or in the transmittal letter.**
- f. Violation by Consultant(s) of any provisions of above paragraphs, in accordance with PCC 10420, shall render every contract or other transaction entered into is void unless the violation is technical or non-substantive.

Information regarding Conflict of Interest as stated in Government Code and Public Contract Code Sections may be viewed by visiting the web site: <http://www.leginfo.ca.gov/calaw.html>

10. References

The Department reserves the right to check references not only for those stated in the SOQs but also references from the Department's Consultant Evaluation Reports. **If the reference information provided in the SOQ is found to be in error, it may be reflected as a reduction in your evaluation score.**

11. Web Site for Awarded Contracts

Consultants may view a list of awarded A&E contracts at web page:
<http://caltrans-opac.ca.gov/aeaward.htm>

12. Forms on Internet

Forms related to this solicitation can be downloaded from: <http://caltrans-opac.ca.gov/aeinfo.htm>

13. Business License

Consultant firms are not required to obtain a business license until the time of contract signing.

14. Contractor Certification Clauses (CCC)

Prior to the award of any contract, the awarded proposer must sign and submit to the Department of Transportation, page one (1) of the Contractor Certification Clauses (CCC). This form can be obtained via the Internet at: www.dgs.ca.gov/contracts.